

BOBBY JINDAL  
GOVERNOR



HAROLD LEGGETT, PH D  
SECRETARY

State of Louisiana  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SERVICES  
SEP 16 2008

CERTIFIED MAIL 7008 1140 0002 5822 4697 -RETURN RECEIPT REQUEST

File No LA0116785  
AI No 32779  
Activity No PER20080001

Mr Troy Currault  
Lower River Marine, Inc  
P O Box 455  
Kenner LA 70063

RE Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge dry commodity and coal and coke barge / vessel washwater and ballast water to the Mississippi River from an existing barge and ship cleaning and repair facility based at 10017 River Road River Mile 115 on the Mississippi River in St Rose, St Charles Parish and operating between River Miles 50 and 200 on the Mississippi River, Plaquemines, Orleans, St Bernard Jefferson St Charles St John the Baptist St James Ascension and Iberville Parishes

Dear Mr Currault

The Department of Environmental Quality proposes reissue an LPDES permit with the effluent limitations monitoring requirements, and special conditions listed in the attached DRAFT PERMIT Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT Upon the effective date the FINAL PERMIT shall replace the previously effective LPDES permit

This Office will publish a public notice one time in the local newspaper of general circulation and in the Department of Environmental Quality Public Notice Mailing List A copy of the public notice containing the specific requirements for commenting to this draft permit action will be sent under separate cover at the time the public notice is arranged In accordance with LAC 33 IX 6521 A, the applicant shall receive and is responsible for paying the invoice(s) from the newspaper(s) LAC 33 IX 6521 states, "The costs of publication shall be borne by the applicant"

The invoice, fee rating worksheet and a copy of the fee regulations will be sent under a separate cover letter as applicable Please note that a copy of the fee rating worksheet is also attached to this draft permit A copy of the entire Louisiana Water Quality Regulations may be obtained from the LDEQ Office of Environmental Assessment Post Office Box 4314, Baton Rouge, Louisiana 70821 4314 (225) 219 3236

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Pursuant to LAC 33 IX 1309 I, LAC 33 IX 6509 A 1 and LAC 33 I 1701, you must pay any outstanding fees to the Department. Therefore you are encouraged to verify your facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division (225) 219 3863 or accessing LDEQ's web site at [www.deq.louisiana.gov](http://www.deq.louisiana.gov). Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act including but not limited to, revocation or suspension of the applicable permit and/or assessment of a civil penalty against you.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fee, please contact Yvonne Baker, Office of Environmental Services, at the address on the preceding page telephone (225) 219 3107. To ensure that all correspondence regarding this facility is properly filed, please reference your Agency Interest number 32779 and LPDES permit number LA0116785 on all future correspondence to this Department, including Discharge Monitoring Reports.

Sincerely,



Jesse Chang, Environmental Scientist Manager  
Industrial Water Permits Section

ywb

Attachment(s) including draft permit statement of basis and fee sheet

c Yvonne Baker  
Water Permits Division

IO W

ec Ms Gayle Denino  
Office of Management & Finance

Permit Compliance Unit  
Office of Environmental Compliance

Cheryl LeJeune  
Water Permits Division

Public Participation Group (for PN)  
Office of Environmental Assistance

Mr Louis Dugan  
Environmental Reporting Services Inc  
[ldugan@charter.net](mailto:ldugan@charter.net)

**DRAFT**

PERMIT No LA0116785  
AI No 32779

OFFICE OF ENVIRONMENTAL SERVICES  
**Water Discharge Permit**

Pursuant to the Clean Water Act, as amended (33 U S C 1251 et seq), and the Louisiana Environmental Quality Act, as amended (La R S 30 2001 et seq), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

Lower River Marine Inc  
P O Box 455  
Kenner LA 70063

**Type Facility**

barge and ship cleaning and repair facility

**Location**

based at 10017 River Road River Mile 115 on the Mississippi River in St Rose,  
St Charles Parish  
operating between River Miles 50 and 200 on the Mississippi River  
Plaquemines, Orleans St Bernard Jefferson St Charles, St John the Baptist St  
James Ascension, and Iberville Parishes

**Receiving Waters**

Mississippi River (Subsegment 070301)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto

This permit shall become effective on \_\_\_\_\_

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit

**DRAFT**

Issued on \_\_\_\_\_

\_\_\_\_\_  
Cheryl Sonnier Nolan  
Assistant Secretary

Part I

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## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from

Outfall 001 the intermittent discharge of dry commodity barge / vessel washwater

Such discharges shall be limited and monitored by the permittee as specified below

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Monitoring Requirements</u>
--------------------------------	------------------------------	--------------------------------

See Part II, Paragraphs I J K L M N O

There shall be no discharge of floating solids or visible foam in other than trace amounts nor of free oil or other oil materials nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms Furthermore there shall be no visible sheen or stains attributable to this discharge

## Part I

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## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from

Outfall 002 the discharge of coal and coke barge / vessel washwater (\*1)

Such discharges shall be limited and monitored by the permittee as specified below

Effluent Characteristic	STORET Code	Discharge Limitations				Monitoring Requirements	
		Other Units				Measurement Frequency(*2)	Sample Type
		(lbs/day	UNLESS STATED)	(mg/L	UNLESS STATED)		
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow MGD	50050	Report	Report			1/week	Estimate
COD	00340			250	400	1/week	Grab
TSS	00530			Report	Report	1/month	Grab
pH	00400			6.0 (*3)	9.0 (*3)	1/week	Grab
(Standard Units)				(Min)	(Max)		

See Part II Paragraphs I J K L M N

There shall be no discharge of floating solids or visible foam in other than trace amounts nor of free oil or other oil materials nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms Furthermore there shall be no visible sheen or stains attributable to this discharge

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s)

Outfall 002 at the point of discharge from the barge/ vessel prior to combining with other waters

FOOTNOTE(S)

(\*1) See Part II Paragraph O

(\*2) When discharging

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured

## Part I

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## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from

Outfall 03A the intermittent discharge of incoming ballast and void water from customer barges

Outfall 03B the intermittent discharge of maintenance ballast and void water

Such discharges shall be limited and monitored by the permittee as specified below

Effluent Characteristic	Discharge Limitations					Monitoring Requirements(*1)	
	STORET Code	Other Units				Measurement Frequency	Sample Type
		(lbs/day UNLESS STATED)		(mg/L UNLESS STATED)			
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow MGD	50050	Report	Report			1/week(*2)	Estimate
COD	00340				250	1/week(*2)	Grab
Oil & Grease	03582				15	1/week(*2)	Grab
pH	00400			6.0 (*3)	9.0 (*3)	1/week(*2)	Grab
(Standard Units)				(Min)	(Max)		

There shall be no discharge of floating solids or visible foam in other than trace amounts nor of free oil or other oil materials nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s)

Outfall 03A at the point of discharge from the customer's barge wing/void tanks prior to combining with other waters

Outfall 03B at the point of discharge from the work barge wing/void tanks prior to combining with other waters  
**Sampling for 03B is only required if a visible sheen is present**

FOOTNOTE(S)

- (\*1) See Part II Paragraph P
- (\*2) The measurement frequency for Outfall 03B for the discharge of maintenance ballast water and dry dock ballast water shall be 1/month whenever sampling is required instead of 1/week as stated above
- (\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured

## PART II

### OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations

- A This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit
- B Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way
- C For definitions of monitoring and sampling terminology see Part III, Section F
- D 24-HOUR ORAL REPORTING DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III D 6 e (3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days

Pollutant(s)

None

- E 40 CFR PART 136 (See LAC 33 IX 4901) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc , procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33 IX 4901)

- F FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III C 6 of this permit The daily flow value may be estimated using best engineering judgement

- G The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule

Effective date of the permit

- H PERMIT REOPENER CLAUSE

In accordance with LAC 33 IX 2903, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved

## PART II

### OTHER REQUIREMENTS

- 2 Controls any pollutant not limited in the permit, or
- 3 Require reassessment due to change in 303(d) status of waterbody, or
- 4 Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards. Therefore prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

#### I GENERAL REQUIREMENTS FOR BARGES/VESSELS

General requirements for barges/vessels carrying all types of cargo and/or supporting activity, i.e., barge/vessel washing, work barges/vessels, bunkering barges/vessels, midstream refueling barges/vessels, barges/vessels carrying coal, coke, grain, rock, chemical, or any other cargo are described in the following. **Please note The General Requirements for barges/vessels does apply to all barges/vessels. However, for numbers 1 and 2, the permittee is responsible for permittee barges/vessels only. Requirement 3 is specific to the entire facility, therefore the SPC plan should include, in general terms, other barges/vessels being repaired. The permittee would be responsible for meeting requirements 4 and 5 for all barges/vessels at the facility.**

Best Management Practices (BMP) shall be used to prevent the discharge of contaminated waters or cargo and shall be at least equivalent to the following:

- 1 Louisiana Administrative Code Title 33 IX 9 Spill Prevention and Control (SPC) does apply to all tanks and equipment mounted on barge/vessel surfaces as well as to any tanks on shore. All pumps, tanks, vessels or other equipment on work or washwater barges/vessels shall be placed on impervious decks and provided with spill containment systems such as curbs, gutters, sumps or absorbents and drip pans capable of retaining spills of oil and other materials.
- 2 With respect to work and washwater barge/vessel surfaces, LAC 33 IX 907 F 1 referring to containment is modified to include a requirement that the containment volume must be sufficient to contain the volume of the largest tank or vessel on the barge/vessel surface, or 35% of the total volume of all tanks or vessels mounted on the barge/vessel surface, whichever is larger.
- 3 If applicable, the facility SPC plan is required to be prepared and implemented within 180 days of the final permit effective date.



## PART II

### OTHER REQUIREMENTS

- 4 Wastewaters generated in the process of washing barge/vessel deck surfaces may be discharged provided a ) residual oil and other contaminants that may be present on the deck surface are removed before the washing takes place, by means of absorbents or other appropriate methods that prevent oil and other contaminants from entering the waterway, and b ) if a cleaning agent is used in the wash process, it is one that is biodegradable
  - 5 Wastewaters generated, prior to barge/vessel maintenance and/or repair, in the process of hydroblasting (or pressure washing) of the barge/vessel exteriors (excluding decks, refer to number 4 above) may be discharged provided that if a cleaning agent is used in the wash process, it is one that is biodegradable
- J Rainwater or river water that has accumulated in open top customer barges/vessels that have been properly cleaned (excluding coal and coke\*) or have never contained any cargo, and/or in the permittee's spar barges/vessels that never contain any cargo, may be discharged without sampling provided there is no visible oil sheen and no visible indication of any other contamination other than minor amounts of rust. If a sheen or visible indication of other contamination is present, a sample must be taken and tested for compliance with the following parameters prior to discharge
- TOC - 50 mg/L, Oil & Grease - 15 mg/L, and pH within the range of 6.0 - 9.0 standard units
- If a sample(s) has been taken and tested, monitoring results (summarized monthly) must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). DMR forms shall be submitted quarterly along with and in the same manner as DMR forms for outfalls
- \* The discharge of rainwater or riverwater from barges/vessels that contained coal and/or coke is considered contaminated and must be discharged by way of the coal and coke barge/ vessel washwater outfall
- K Discharge of rainwater from subject barges/ vessels that have not been cleaned, must be discharged through the appropriate outfall and in accordance with the effluent limitations and conditions for the outfall for that type of barge/ vessel
- L BEST MANAGEMENT PRACTICE (BMP) OR STATE OF THE ART FOR CLEANING DRY CARGO BARGES WITH THE COMMODITIES LISTED IN PART II, ATTACHMENT I
- 1 There shall be no discharge of bulk solids
  - 2 Solids remaining on the barge after primary cleaning/product recovery methods such as front end loader, etc. must be removed for disposal as appropriate using vacuuming, sweeping or other acceptable methods
- M SPECIAL REPORTING REQUIREMENTS FOR BARGE CLEANING FACILITIES
- 1 On a monthly basis, report products that were in the barges cleaned and the number of barges cleaned that contained that product. Report the total volume of washwaters

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## PART II

### OTHER REQUIREMENTS

accumulated for the month and the total washwaters discharged during the reporting period, the total water used for washing, and the average, maximum and minimum amount of water used per barge cleaning and per compartment

- 2 The above information is to be summarized monthly, and submitted to the Office of Environmental Compliance with the quarterly Discharge Monitoring Reports (DMRs)

### N FACILITY LOCATION FOR BARGE CLEANING

Operations shall occur only at the following locations between River Miles 50 and 200 on the Mississippi River in Plaquemines, St Bernard, Orleans, Jefferson, St Charles, St John the Baptist, St James, Ascension, and Iberville Parishes This Office is to be notified in writing prior to operating at any other location

- O Only washwater from barges and vessels that contained the materials specifically listed in Attachment 1 and treated as indicated through the respective outfall may be discharged No other washwater from any other source and/or containing any other materials shall be discharged without prior written approval of the Permits Division This approval may require a permit modification

### P BALLAST WATERS

- 1 Incoming ballast/void tank water from a randomly selected customer barge/vessel must be sampled once per week and tested for compliance with Part I requirements applicable to incoming ballast water The volume of all such ballast water discharges, the date of the discharge and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports Discharges which exceed the specified limits must be reported to LDEQ as excursions "Incoming ballast" means ballast water that comes into the permittee's facility on board customer barge/vessel wing tanks/ballast tanks or is generated as a result of the permittee placing water into customer barge/vessel wing tanks/ballast tanks
- 2 The volume of all discharges of maintenance ballast, dry dock ballast, and/or void tank water from work, treatment, spar, office barges/vessels, or dry dock(s), the date of discharge, the presence or absence of a sheen, and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports Discharges which exceed the specified limits must be reported to DEQ as excursions As used in this paragraph, "maintenance ballast" means river water that has leaked into work barges/vessels which are a fixed part of the facility and "Dry dock ballast" means river water that has been pumped/flooded into a dry dock by the permittee for the purpose of maintenance and/or inspection of a vessel

Maintenance ballast/void tank water from cleaning plant work barges/vessels, wastewater treatment barges/vessels, work barges/vessels, or the office barge/vessel and dry dock ballast water may be discharged without sampling for COD, Oil & Grease, and pH provided there is no visible oil sheen **If a visible sheen is present in the compartment containing the ballast water prior to the discharge event or if an oil**

## PART II

### OTHER REQUIREMENTS

**sheen is observed during the discharge event, a sample shall be taken and tested for compliance with Outfall 03B**

#### Q BILGE AND/OR SLOP WATERS

The discharge of bilge and/or slops waters is not permitted

R The LPDES permit authorizes the discharge from the permittee's operation at various locations on the Mississippi River between River Miles 50 and 200. There shall be no discharge within one mile upstream of any drinking water intake. As guidance only, a list of the drinking water intakes on the Mississippi River of which this Office is aware is provided in Attachment 2. The permittee is responsible for determining the existence and the location of the nearest drinking water intake prior to each discharge.

S A global positioning system (GPS) device shall be utilized at each location where permitted wastewater discharges occur. The GPS units will be used to document coordinates of each discharge event to be maintained with other discharge data and made available to LDEQ Surveillance personnel upon request. The GPS system shall be calibrated to provide coordinate accuracy within 50 feet of actual position.

#### T STORMWATER DISCHARGES

1 This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The purpose of the pollution prevention plan is to identify potential sources of pollution that would reasonably be expected to affect the quality of stormwater and identify the practices that will be used to prevent or reduce the pollutants in stormwater discharges.

2 Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.

3 The permittee shall update, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. EPA document 833-R-92-006 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the Water Resource Center (RC-4100), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington D.C. 20460 or by calling (202) 566-1729 or via the Wetlands Helpline (800) 832-7828.

4 The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.

## PART II

### OTHER REQUIREMENTS

- a The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the stormwater discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed
  - b The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff
  - c Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance
  - d The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3
  - e The summary report and the following certification shall be signed in accordance with LAC 33 IX 2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.
 

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signatory requirements for the certification may be found in Part III, Section D 10 of this permit
  - f The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation
- 5 The following shall be included in the SWP3, if applicable
- a The permittee shall utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to

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### OTHER REQUIREMENTS

- (1) maintaining adequate roads and driveway surfaces,
  - (2) removing debris and accumulated solids from the drainage system, and
  - (3) cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods
- b All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non slippery work surface) except where the cleanup practice does not result in a discharge and does not leave residues exposed to future storm events. In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.
- c All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.
- d All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.
- e If applicable, all storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.
- f All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.
- g All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.
- h The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (L.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.
- i The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

## PART II

### OTHER REQUIREMENTS

- J If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements

### U DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No 3320-1 or an approved substitute) All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit

If there is a no discharge event at any of the monitored outfall(s) during the reporting period, enter "No Discharge" in the upper right corner of the Discharge Monitoring Report

Monitoring results for each month shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR form per monitoring period per outfall) and submitted to the Office of Environmental Compliance either hand delivered or postmarked no later than the 28<sup>th</sup> day of the month following the reporting period

- 1 For parameters that require a monitoring frequency of quarterly or more frequent (cx 1/day, 1/week, 1/discharge, 1/event, etc ), DMRs shall be submitted in accordance with the following schedule

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January, February, March	April 28 <sup>th</sup>
April, May, June	July 28 <sup>th</sup>
July, August, September	October 28 <sup>th</sup>
October, November, December	January 28 <sup>th</sup>

- 2 For parameters that require a semiannual monitoring frequency, DMRs shall be submitted in accordance with the following schedule

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January 1 – June 30	July 28 <sup>th</sup>
July 1 - December 31	January 28 <sup>th</sup>

- 3 For parameters that require an annual monitoring frequency, DMRs shall be submitted in accordance with the following schedule

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January 1 – December 31	January 28 <sup>th</sup>

Duplicate copies of DMR's (one set of originals and one set of copies) signed and certified as required by LAC 33 IX 2503, and any violations of the conditions of the permit as well as all

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## PART II

### OTHER REQUIREMENTS

other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit at the following address

Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
Permit Compliance Unit  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312

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## ATTACHMENT 1

### List of Commodities

#### Outfall 001

##### Grains, Food Additives and other Biological Feedstocks

Soybean Meal, Corn Gluten Feed Pellets, Expeller By Products, Corn Distiller Grain Meal, Beet Pulp Pellets, Soyhulls, Soyhull Pellets, Rice Bran, Peanut Meal, Corn, Soybeans, Rice, Oats, Fish Meal, Meat and Bone Meal, Wheat, Millet, Sorghum, Barley, Wheat Gluten

##### Pig Iron

##### Iron Ores to include Direct Reduced Iron

Sinter Feeds, Pellets, Briquettes, Ilmenite

##### Minerals

Fluorspar, Barite, Bauxite, Silica, Graphite, Manganese, Zinc, Limestone

##### Food Products

Sugar, Salt

##### Ferro Alloys

Ferro Manganese, Ferro Silicon, Silico Manganese, Ferro Chrome

##### Concentrates

Zinc, Lead, Copper

##### Scrap

Stainless, Ferrous

##### Aluminum

Ingots, Slabs, T bars, Sows

##### Alumina

Bulk

##### Fertilizers

Potash, Monoammonium Phosphate (MAP), Diammonium Phosphate (DAP), Ammonium Sulfate, Urea

##### Rubber Products

Pelletized, Shredded

##### Wood Products

Plywood, Timber, Chips, Pallets

##### Stone, Refractory

Rock, Granite, Cement Clinkers

##### Miscellaneous

Ores, Alloys, Minerals

#### Outfall 002

##### Coal and Coke Products

Coal, Metallurgical Coke, Pitch, Petroleum Coke, Anode Butts



Permit No Draft LA0116785  
 AI No 32779

## ATTACHMENT 2

### INTAKE STRUCTURE

### LOCATION (RIVER MILE) W=West Bank E=East Bank

The DOW Company, Plaquemine	209 6 W
Honeywell Corporation, Geismar	187 E
Shell Chemical Company, Geismar	183 E
Peoples Water Service Company, Donaldsonville	175 5 W
Bayou LaFourche Fresh Water District, Donaldsonville	175 5 W
Ormet Corporation, Burnside	169 5 E
E I duPont deNemours & Company, Convent	169 2 E
Motiva Enterprises LLC, Convent	168 1 E
St James Waterworks #1, Convent	154 1 E
St James Waterworks #2, Vacherie	152 2 W
Town of Lutcher Waterworks, Lutcher	147 4 E
Town of Gramercy Waterworks, Gramercy	146 7 E
Kaiser Aluminum & Chemical Corporation, Gramercy	145 3 E
Marathon Petroleum Company, Garyville	140 E
St John Waterworks #1, Lions Plant, Reserve	139 3 E
St John Waterworks #2 Edgard Plant, Edgard	139 3 W
DuPont Dow Elastomers, LaPlace	136 E
St Charles Waterworks #1, New Sarpy	125 1 E
St Charles Waterworks #2 Luling	120 6 W
East Jefferson Waterworks, District 1, Metairie	105 4 E
New Orleans Dakin Waterworks, New Orleans	104 9 E
City of Westwego Waterworks, Westwego	101 5 W
West Jefferson Waterworks, District 2, Marrero	99 1 W
City of Gretna Waterworks, Gretna	96 7 W
New Orleans Algiers Waterworks #2, New Orleans	95 8 W
New Orleans Algiers Waterworks #1, New Orleans	95 7 W
Domino Sugar Corporation, Arabi	90 8 E
St Bernard Waterworks, District 1, Chalmette	87 9 E
Dalcour Waterworks, Braithwaite	80 9 E
Belle Chasse Waterworks, Belle Chasse	75 8 W
Pointe-a-la Hache Waterworks, Pointe-a la-Hache	49 2 E
Port Sulphur Waterworks, Port Sulphur	49 W
Boothville-Venice Waterworks, Venice	18 6 W

PART III  
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A GENERAL CONDITIONS

1 Introduction

In accordance with the provisions of LAC 33 IX 2701 et seq this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA) as amended as well as ALL applicable regulations

2 Duty to Comply

The permittee must comply with all conditions of this permit Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action for permit termination revocation and reissuance or modification or for denial of a permit renewal application

3 Penalties for Violation of Permit Conditions

a LA R S 30 2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act LA R S 30 2076 2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program (See Section E Penalties for Violation of Permit Conditions for additional details)

b Any person may be assessed an administrative penalty by the State Administrative Authority under LA R S 30 2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act

4 Toxic Pollutants

a Other effluent limitations and standards under Sections 301 302 303 307 318 and 405 of the Clean Water Act If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition

b The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal even if the permit has not yet been modified to incorporate the requirement

5 Duty to Reapply

a Individual Permits If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit the permittee must apply for and obtain a new permit The new application shall be submitted at least 180 days before the expiration date of the existing permit unless permission for a later date has been granted by the state administrative authority (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit ) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33 IX 2321 and any subsequent amendments

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- b General Permits General permits expire five years after the effective date. The 180 day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

#### 6 Permit Action

This permit may be modified, revoked and reissued or terminated for cause in accordance with LAC 33 IX 2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

- a Noncompliance by the permittee with any condition of the permit
- b The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts or the permittee's misrepresentation of any relevant facts at any time
- c A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination
- d A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge or
- e Failure to pay applicable fees under the provisions of LAC 33 IX Chapter 13
- f Change of ownership or operational control

The filing of a request by the permittee for a permit modification, revocation and reissuance or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

#### 7 Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

#### 8 Duty to Provide Information

The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

#### 9 Criminal and Civil Liability

Except as provided in permit conditions on Bypassing and Upsets, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit, may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

#### 10 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

#### 11 State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

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**12 Severability**

If any provision of these rules and regulations or the application thereof is held to be invalid the remaining provisions of these rules and regulations shall not be affected so long as they can be given effect without the invalid provision. To this end the provisions of these rules and regulations are declared to be severable.

**13 Dilution**

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

**14 Facilities Requiring Approval from Other State Agencies**

In accordance with La R S 40 4(A)(6) the plans and specifications of all sanitary sewerage treatment systems both public and private must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La R S 40 1149 it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La R S 48 385 it is unlawful for any industrial wastes, sewage, septic tanks effluent or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights of ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

**SECTION B PROPER OPERATION AND MAINTENANCE****1 Need to Halt or Reduce not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**2 Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**3 Proper Operation and Maintenance**

a The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

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4 Bypass of Treatment Facilities

- a Bypass The intentional diversion of waste streams from any portion of a treatment facility
- b Bypass not exceeding limitations The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B 4 c and 4 d of these standard conditions
- c Notice
  - (1) Anticipated bypass If the permittee knows in advance of the need for a bypass it shall submit prior notice to the Office of Environmental Services Water Permits Division if possible at least ten days before the date of the bypass
  - (2) Unanticipated bypass The permittee shall submit notice of an unanticipated bypass as required in LAC 33 IX 2701 L 6 (24 hour notice) and Section D 6 e of these standard conditions
- d Prohibition of bypass
  - (1) Bypass is prohibited and the state administrative authority may take enforcement action against a permittee for bypass unless
    - (a) Bypass was unavoidable to prevent loss of life personal injury or severe property damage
    - (b) There were no feasible alternatives to the bypass such as the use of auxiliary treatment facilities retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance and
    - (c) The permittee submitted notices as required by Section B 4 c of these standard conditions
  - (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects if the state administrative authority determines that it will meet the three conditions listed in Section B 4 d(1) of these standard conditions

5 Upset Conditions

- a Upset An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error improperly designed treatment facilities inadequate treatment facilities lack of preventive maintenance or careless or improper operation
- b Effect of an upset An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Section B 5 c are met. No determination made during administrative review of claims that noncompliance was caused by upset and before an action for noncompliance is final administrative action subject to judicial review
- c Conditions necessary for a demonstration of upset A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs or other relevant evidence that
  - (1) An upset occurred and that the permittee can identify the cause(s) of the upset
  - (2) The permitted facility was at the time being properly operated and
  - (3) The permittee submitted notice of the upset as required by LAC 33 IX 2701 L 6 b ii and Section D 6 e (2) of these standard conditions and

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(4) The permittee complied with any remedial measures required by Section B 2 of these standard conditions

d Burden of proof In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof

#### 6 Removed Substances

Solids sewage sludges filter backwash or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations

#### 7 Percent Removal

For publicly owned treatment works the 30 day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33 IX 5905 A 3 and B 3

### SECTION C MONITORING AND RECORDS

#### 1 Inspection and Entry

The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator) upon the presentation of credentials and other documents as may be required by the law to

a Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action and

b Have access to and copy at reasonable times any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection the records shall be made available as soon as the office is open but in no case later than the close of business the next working day

c Inspect at reasonable times any facilities equipment (including monitoring and control equipment) practices or operations regulated or required under this permit and

d Sample or monitor at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act any substances or parameters at any location

#### e Sample Collection

(1) When the inspector announces that samples will be collected the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit

(2) At the discretion of the administrative authority sample collection shall proceed immediately (without the additional 30 minutes described in Section C 1 a above) and the inspector shall supply the permittee with a duplicate sample

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f It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit including any other conditions or limitations be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C 1 b of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g Upon written request, copies of field notes, drawings, etc. taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

## 2 Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33 IX 2903.

## 3 Retention of Records

Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample measurement report or application. This period may be extended by request of the state administrative authority at any time.

## 4 Record Contents

Records of monitoring information shall include:

- a The date, exact place, and time of sampling or measurements
- b The individual(s) who performed the sampling or measurements
- c The date(s) analyses were performed
- d The time(s) analyses were begun
- e The individual(s) who performed the analyses
- f The analytical techniques or methods used
- g The results of such analyses, and
- h The results of all quality control procedures

## 5 Monitoring Procedures

- a Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 or in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.
- b The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- c The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method-specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the

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Handbook for Sampling and Sample Preservation of Water and Wastewater 1982 U S Environmental Protection Agency This publication is available from the National Technical Information Service (NTIS) Springfield VA 22161 Phone number (800) 553-6847 Order by NTIS publication number PB 83 124503

## 6 Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection installation calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a A Guide to Methods and Standards for the Measurement of Water Flow 1975 U S Department of Commerce National Bureau of Standards This publication is available from the National Technical Information Service (NTIS) Springfield VA 22161 Phone number (800) 553-6847 Order by NTIS publication number COM 75 10683
- b Flow Measurement in Open Channels and Closed Conduits Volumes 1 and 2 U S Department of Commerce National Bureau of Standards This publication is available from the National Technical Information Service (NTIS) Springfield VA 22161 Phone number (800) 553-6847 Order by NTIS publication number PB 273 535
- c NPDES Compliance Flow Measurement Manual U S Environmental Protection Agency Office of Water Enforcement This publication is available from the National Technical Information Service (NTIS) Springfield VA 22161 Phone number (800) 553-6847 Order by NTIS publication number PB 82 131178

## 7 Prohibition for Tampering Penalties

- a LA R S 30 2025 provides for punishment of any person who falsifies tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit
- b LA R S 30 2076.2 provides for penalties for any person who knowingly makes any false statement representation or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non compliance

## 8 Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33 IX 4901) or in the case of sludge use and disposal approved under 40 CFR Part 136 (See LAC 33 IX 4901) unless otherwise specified in 40 CFR Part 503 or as specified in the permit the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority

## 9 Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit

## 10 Laboratory Accreditation

- a LAC 33 I Subpart 3 Chapters 45 59 provide requirements for an accreditation program specifically applicable to commercial laboratories wherever located that provide chemical analyses analytical results or other test data to the department by contract or by agreement and the data is
  - (1) Submitted on behalf of any facility as defined in R S 30 2004
  - (2) Required as part of any permit application
  - (3) Required by order of the department
  - (4) Required to be included on any monitoring reports submitted to the department
  - (5) Required to be submitted by contractor
  - (6) Otherwise required by department regulations



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- b The department laboratory accreditation program Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy precision and reliability of the data generated as well as the use of department approved methodologies in generation of that data Laboratory data generated by commercial environmental laboratories that are not (LELAP) accredited will not be accepted by the department Retesting of analysis will be required by an accredited commercial laboratory

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling) the data generated will be considered invalid and in violation of the LPDES permit

- c Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under DIVISIONS → LABORATORY SERVICES at the following link

<http://www.deq.louisiana.gov>

Questions concerning the program may be directed to (225) 219 9800

#### SECTION D REPORTING REQUIREMENTS

##### 1 Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility Notice is required only when

- a The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) or
- b The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under LAC 33:IX 2703 A 1
- c For Municipal Permits Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301 or 306 of the CWA if it were directly discharging those pollutants and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit In no case are any new connections increased flows or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein

##### 2 Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements

##### 3 Transfers

This permit is not transferable to any person except after notice to the state administrative authority The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act (See LAC 33:IX 2901 in some cases modification or revocation and reissuance is mandatory)

A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX 2903 A 2 b) or a minor modification made (under LAC 33:IX 2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act

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**4 Monitoring Reports**

Monitoring results shall be reported at the intervals and in the form specified in Part I or Part II of this permit

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92 500 s and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to

Supervisor Permit Compliance Unit  
Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge LA 70821-4312

Copies of blank DMR templates plus instructions for completing them and EPA's LPDES Reporting Handbook are available at the department website located at

<http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2276>

**5 Compliance Schedules**

Reports of compliance or noncompliance with or any progress reports on interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date

**6 Requirements for Notification****a Emergency Notification**

As required by LAC 33 I 3915 in the event of an unauthorized discharge that does cause an emergency condition the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature quantity and potential off site impact of a release considering the exigency of the circumstances) but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public cause significant adverse impact to the land water or air environment or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D 6 c of these standard conditions

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D 6 d of these standard conditions and any additional information in LAC 33 I 3925 B

**b Prompt Notification**

As required by LAC 33 I 3917 in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33 I Subchapter E but does not cause an emergency condition the discharger shall promptly notify the department within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance Surveillance Division Single Point of Contact (SPOC) in accordance with LAC 33 I 3923

In accordance with LAC 33 I 3923 prompt notification shall be provided within a time frame not to exceed 24 hours and shall be given to the Office of Environmental Compliance Surveillance Division Single Point of Contact (SPOC) as follows

- (1) by the Online Incident Reporting screens found at  
<http://www3.deq.louisiana.gov/surveillance/irf/forms/> or

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- (2) by e mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=279> or
  - (3) by telephone at (225) 219 3640 during office hours or (225) 342 1234 after hours and on weekends and holidays
- c Content of Prompt Notifications The following guidelines will be utilized as appropriate based on the conditions and circumstances surrounding any unauthorized discharge to provide relevant information regarding the nature of the discharge
  - (1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed
  - (2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred using common landmarks In the event of an incident involving transport include the name and address of the transporter and generator
  - (3) the date and time the incident began and ended or the estimated time of continuation if the discharge is continuing
  - (4) the extent of any injuries and identification of any known personnel hazards that response agencies may face
  - (5) the common or scientific chemical name the U S Department of Transportation hazard classification and the best estimate of amounts of any and all discharged pollutants
  - (6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity
- d Written Notification Procedures Written reports for any unauthorized discharge that requires notification under Section D 6 a or 6 b or shall be submitted by the discharger to the Office of Environmental Compliance Surveillance Division SPOC in accordance with LAC 33 IX 3925 within seven calendar days after the notification required by D 6 a or 6 b unless otherwise provided for in a valid permit or other department regulation Written notification reports shall include but not be limited to the following information
  - (1) the name address telephone number Agency Interest (AI) number (number assigned by the department) if applicable and any other applicable identification numbers of the person company or other party who is filing the written report and specific identification that the report is the written follow up report required by this section
  - (2) the time and date of prompt notification the state official contacted when reporting the name of person making that notification and identification of the site or facility vessel transport vehicle or storage area from which the unauthorized discharge occurred
  - (3) date(s) time(s) and duration of the unauthorized discharge and if not corrected the anticipated time it is expected to continue
  - (4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge including incidents of loss of sources of radiation and if the release point is subject to a permit
    - (a) the current permitted limit for the pollutant(s) released and
    - (b) the permitted release point/outfall ID
  - (5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge including the CAS number and U S Department of Transportation hazard classification and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds including calculations)

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- (6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off site impact resulted
- (7) remedial actions taken or to be taken to stop unauthorized discharges or to recover pollutants or sources of radiation
- (8) Written notification reports shall be submitted to the Office of Environmental Compliance Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked **UNAUTHORIZED DISCHARGE NOTIFICATION REPORT**

Please see LAC 33 I 3925 B for additional written notification procedures

- e Twenty four Hour Reporting The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33 IX 2701 M 3 b )
- (2) Any upset which exceeds any effluent limitation in the permit
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33 IX 2707 G )

#### 7 Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D 4, 5, and 6 at the time monitoring reports are submitted. The reports shall contain the information listed in Section D 6 e.

#### 8 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

#### 9 Discharges of Toxic Substances

In addition to the reporting requirements under Section D 1 8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services Water Permits Division as soon as they know or have reason to believe:

- a That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant:
  - i listed at LAC 33 IX 7107 Tables II and III (excluding Total Phenols) which is not limited in the permit if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 µg/L)
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile, five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/L) for antimony
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33 IX 2501 G 7, or
    - (4) The level established by the state administrative authority in accordance with LAC 33 IX 2707 F, or
  - ii which exceeds the reportable quantity levels for pollutants at LAC 33 I Subchapter E

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- b That any activity has occurred or will occur which would result in any discharge on a non routine or infrequent basis of a toxic pollutant
  - i listed at LAC 33 IX 7107 Tables II and III (excluding Total Phenols) which is not limited in the permit if that discharge will exceed the highest of the following notification levels
    - (1) Five hundred micrograms per liter (500 µg/L)
    - (2) One milligram per liter (1 mg/L) for antimony
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33 IX 2501 G 7 or
    - (4) The level established by the state administrative authority in accordance with LAC 33 IX 2707 F or
  - ii which exceeds the reportable quantity levels for pollutants at LAC 33 I Subchapter E

#### 10 Signatory Requirements

All applications reports or information submitted to the state administrative authority shall be signed and certified

a All permit applications shall be signed as follows

- (1) For a corporation by a responsible corporate officer For the purpose of this section a responsible corporate officer means
  - (a) A president secretary treasurer or vice president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation or
  - (b) The manager of one or more manufacturing production or operating facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures

**NOTE** DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D 10 a (1)(a) The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D 10 a (1)(b) rather than to specific individuals

- (2) For a partnership or sole proprietorship by a general partner or the proprietor respectively or
- (3) For a municipality, state, federal, or other public agency by either a principal executive officer or ranking elected official For purposes of this section a principal executive officer of a federal agency includes
  - (a) The chief executive officer of the agency or
  - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e g Regional Administrators of EPA)

- b All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D 10 a or by a duly authorized representative of that person A person is a duly authorized representative only if
  - (1) The authorization is made in writing by a person described in Section D 10 a of these standard conditions

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(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager operator of a well or a well field superintendent position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or an individual occupying a named position and

(3) The written authorization is submitted to the state administrative authority

c Changes to authorization If an authorization under Section D 10 b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility a new authorization satisfying the requirements of Section D 10 b must be submitted to the state administrative authority prior to or together with any reports information or applications to be signed by an authorized representative

d Certification Any person signing a document under Section D 10 a or b above shall make the following certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information the information submitted is to the best of my knowledge and belief true accurate and complete I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations

#### 11 Availability of Reports

All recorded information (completed permit application forms fact sheets draft permits or any public document) not classified as confidential information under R S 30 2030(A) and 30 2074(D) and designated as such in accordance with these regulations (LAC 33 IX 2323 and LAC 33 IX 6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act R S 44 1 et seq

Claims of confidentiality for the following will be denied

a The name and address of any permit applicant or permittee

b Permit applications permits and effluent data

c Information required by LPDES application forms provided by the state administrative authority under LAC 33 IX 2501 may not be claimed confidential This includes information submitted on the forms themselves and any attachments used to supply information required by the forms

### SECTION E PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

#### 1 Criminal

##### a Negligent Violations

The Louisiana Revised Statutes LA R S 30 2076 2 provides that any person who negligently violates any provision of the LPDES or any order issued by the secretary under the LPDES or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$2 500 nor more than \$25 000 per day of violation or by imprisonment for not more than 1 year or both If a conviction of a person is for a violation committed after a first conviction of such person he shall be subject to a fine of not more than \$50 000 per day of violation or imprisonment of not more than two years or both

##### b Knowing Violations

The Louisiana Revised Statutes LA R S 30 2076 2 provides that any person who knowingly violates any provision of the LPDES or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES or any requirement imposed in a pretreatment program approved under

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the LPDES is subject to a fine of not less than \$5 000 nor more than \$50 000 per day of violation or imprisonment for not more than 3 years or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100 000 per day of violation or imprisonment of not more than six years or both.

c Knowing Endangerment

The Louisiana Revised Statutes LA R S 30:2076.2 provides that any person who knowingly violates any provision of the LPDES or any order issued by the secretary under the LPDES or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury shall upon conviction be subject to a fine of not more than \$250 000 or by imprisonment for not more than 15 years or both. A person which is an organization shall upon conviction of violating this Paragraph be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d False Statements

The Louisiana Revised Statutes LA R S 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the LPDES shall upon conviction be subject to a fine of not more than \$10 000 or imprisonment for not more than 2 years or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than \$20 000 per day of violation or imprisonment of not more than 4 years or both.

2 Civil Penalties

The Louisiana Revised Statutes LA R S 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty to be assessed by the secretary, an assistant secretary, or the court of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator and a penalty of not more than \$32 500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

**(PLEASE NOTE:** These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

- 1 Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub L 92-500 as amended by Pub L 95-217, Pub L 95-576, Pub L 96-483 and Pub L 97-117, 33 U.S.C. 1251 et seq.)
- 2 Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
- 3 Administrator means the Administrator of the U.S. Environmental Protection Agency or an authorized representative.

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- 4 Applicable Standards and Limitations means all state interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act including effluent limitations water quality standards of performance toxic effluent standards or prohibitions best management practices, and pretreatment standards under Sections 301 302 303 304 306 307 308 and 403
- 5 Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act
- 6 Commercial Laboratory means any laboratory wherever located that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses analytical results or other test data to the department The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R S 49 1001 et seq
- 7 Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24 hour period that reasonably represents the calendar day for purposes of sampling For pollutants with limitations expressed in terms of mass the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day For pollutants with limitations expressed in other units of measurement the daily discharge is calculated as the average measurement of the pollutant over the sampling day Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample
- 8 Daily Maximum discharge limitation means the highest allowable daily discharge
- 9 Director means the U S Environmental Protection Agency Regional Administrator or the state administrative authority or an authorized representative
- 10 Domestic septage means either liquid or solid material removed from a septic tank cesspool portable toilet Type III marine sanitation device or similar treatment works that receives only domestic sewage Domestic septage does not include liquid or solid material removed from a septic tank cesspool or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant
- 11 Domestic sewage means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works
- 12 Environmental Protection Agency or (EPA) means the U S Environmental Protection Agency
- 13 Grab sample means an individual sample collected over a period of time not exceeding 15 minutes unless more time is needed to collect an adequate sample and is representative of the discharge
- 14 Industrial user means a nondomestic discharger as identified in 40 CFR 403 introducing pollutants to a publicly owned treatment works
- 15 LEQA means the Louisiana Environmental Quality Act
- 16 Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations



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- 17 Monthly Average other than for fecal coliform bacteria discharge limitations are calculated as the sum of all daily discharge(s) measured during a calendar month divided by the number of daily discharge(s) measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions and flow is measured as continuous record or with a totalizer the monthly average concentration means the arithmetic average (weighted by flow) of all daily discharge(s) of concentration determined during the calendar month where C = daily discharge concentration F = daily flow and n = number of daily samples monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions and the flow is not measured as a continuous record then the monthly average concentration means the arithmetic average of all daily discharge(s) of concentration determined during the calendar month

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month

- 18 National Pollutant Discharge Elimination System (NPDES) means the national program for issuing modifying revoking and reissuing terminating monitoring and enforcing permits and imposing and enforcing pretreatment requirements under Sections 307 318 402 and 405 of the Clean Water Act
- 19 Severe property damage means substantial physical damage to property damage to the treatment facilities that causes them to become inoperable or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production
- 20 Sewage sludge means a solid semi solid or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes but is not limited to domestic septage scum or solids removed in primary secondary or advanced wastewater treatment processes portable toilet pumpings type III manne sanitation device pumpings (33 CFR part 159) and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works
- 21 Treatment works means any devices and systems used in the storage treatment recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act or necessary to recycle or reuse water at the most economical cost over the estimated life of the works including intercepting sewers sewage collection systems pumping power and other equipment and their appurtenances extension improvement remodeling additions and alterations thereof (See Part 212 of the Clean Water Act)
- 22 For fecal coliform bacteria a sample consists of one effluent grab portion collected during a 24 hour period at peak loads
- 23 The term MGD shall mean million gallons per day
- 24 The term mg/L shall mean milligrams per liter or parts per million (ppm)
- 25 The term ug/L shall mean micrograms per liter or parts per billion (ppb)
- 26 The term ng/L shall mean nanograms per liter or parts per trillion (ppt)

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- 27 Weekly average other than for fecal coliform bacteria is the highest allowable arithmetic mean of the daily discharges over a calendar week calculated as the sum of all daily discharge(s) measured during a calendar week divided by the number of daily discharge(s) measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions and flow is measured as continuous record or with a totalizer the weekly average concentration means the arithmetic average (weighted by flow) of all daily discharge(s) of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples. weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions and the flow is not measured as a continuous record then the weekly average concentration means the arithmetic average of all daily discharge(s) of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

28 Sanitary Wastewater Term(s)

- a 3 hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3 hour period and composited according to flow or a sample continuously collected in proportion to flow over the 3 hour period.
- b 6 hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6 hour period and composited according to flow or a sample continuously collected in proportion to flow over the 6 hour period.
- c 12 hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12 hour period and composited according to flow or a sample continuously collected in proportion to flow over the 12 hour period. The daily sampling intervals shall include the highest flow periods.
- d 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24 hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24 hour period.